

*Tuesday, September 9, 1997*

# *Daily Digest*

## Senate

### *Chamber Action*

*Routine Proceedings, pages S8937–S9031*

**Measures Introduced:** Four bills and two resolutions were introduced, as follows: S. 1154–1157, and S. Res. 119–120. Page S9018

**Measures Reported:** Reports were made as follows:

S. 1156, making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1998, and for other purposes. (S. Rept. No. 105–75). Page S9018

**Measures Passed:**

**Recognition of Mother Teresa:** By a unanimous vote of 98 yeas (Vote No. 222), Senate agreed to S. Res. 120, expressing the Sense of the Senate on the occasion of the death of Mother Teresa of Calcutta, and designating September 13, 1997 as a National Day of Recognition for the humanitarian efforts of Mother Teresa. Pages S8952–58

**SBA Authorization:** Senate passed S. 1139, to reauthorize the programs of the Small Business Administration, after agreeing to the following amendment proposed thereto: Pages S8971–89

Bond/Kerry Amendment No. 1124, to provide certain technical assistance to the Small Business Administration, and to define bundled contract. Pages S8971–77

**Conferring Veteran Status to Bob Hope:** Senate passed H.J. Res. 75, to confer status as an honorary veteran of the United States Armed Forces on Leslie Townes (Bob) Hope, clearing the measure for the President. Page S9030

**Labor/HHS Appropriations, 1998:** Senate resumed consideration of S. 1061, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998, taking action on amendments proposed thereto, as follows:

Pages S8945–52, S8958–71, S8989–S9013

Adopted:

Durbin Amendment No. 1085, to provide for the conduct of a study concerning efforts to improve organ and tissue procurement at hospitals, and require a report to Congress on the study. Pages S8945, S8961–62

Durbin (for Levin) Amendment No. 1086, to express the sense of the Senate that hospitals that have significant donor potential shall take reasonable steps to assure a skilled and sensitive request for organ donation to eligible families. Pages S8945, S8961–63

McCain/Kerry Amendment No. 1092, to ensure that payments to certain persons captured and interned by North Vietnam are not considered income or resources in determining eligibility for, or the amount of benefits under, a program or State plan under title XVI or XIX of the Social Security Act. Pages S8945, S8961

Craig/Bingaman Amendment No. 1093, to amend the Fair Labor Standards Act of 1938 to adjust the maximum hour exemption for agricultural employees. Pages S8945, S8961, S8963–64

Specter (for Nickles) Amendment No. 1109, to require that estimates of certain employer contributions be included in an individual's Social Security account statement. Pages S8945, S8961, S8963

Murray Amendment No. 1119, to provide funding for the National Institute for Literacy. Pages S8946, S8961

Harkin (for Bennett) Amendment No. 1120, to award a grant to a State educational agency to help pay the expenses associated with exchanging State school trust lands within the boundaries of a national monument for Federal lands outside the boundaries of the monument. Pages S8946, S8961, S8964–65

Ford (for Kerrey) Amendment No. 1121, to exempt States that were overpaid mandatory funds for fiscal year 1997 under the general entitlement formula for child care funding from any payment adjustment. Pages S8946, S8961

Specter Amendment No. 1111, to provide start-up funding for the National Bi-partisan Commission on the Future of Medicare. Pages S8945, S8965

Harkin Amendment No. 1123 (to Amendment No. 1111), to assure the Medicare Commission examines the role of medical research and long-term care in the future of Medicare. **Page S8965**

Ford Amendment No. 1117 (to Amendment No. 1078), to express the sense of the Senate on compensation for tobacco growers as part of legislation on the national tobacco settlement. **Pages S8946, S9001–02**

Landrieu Modified Amendment No. 1095, to increase funds to promote adoption opportunities. **Pages S8945, S9011**

Withdrawn:

Gorton Modified Amendment No. 1076, to allow States to use funds received under title XXI of the Social Security Act to provide health insurance coverage for children with incomes above the minimum medicaid eligibility requirements. **Pages S8946, S8951–52, S8990–93**

Harkin (for Wellstone) Amendment No. 1088, to increase funding for Federal Pell Grants. **Page S8945**

Harkin (for Wellstone) Amendment No. 1089, to increase funding for the Education Infrastructure Act of 1994. **Page S8945**

Pending:

Gregg Amendment No. 1070, to prohibit the use of funds for national testing in reading and mathematics, with certain exceptions. **Page S8945**

Coats/Gregg Amendment No. 1071 (to Amendment No. 1070), to prohibit the development, planning, implementation, or administration of any national testing program in reading or mathematics unless the program is specifically authorized by Federal statute. **Page S8971**

Nickles/Jeffords Amendment No. 1081, to limit the use of taxpayer funds for any future International Brotherhood of Teamsters leadership election. **Page S8945**

Craig/Jeffords Amendment No. 1083 (to Amendment No. 1081), in the nature of a substitute. **Page S8945**

Durbin/Collins Amendment No. 1078, to repeal the tobacco industry settlement credit contained in the Balanced Budget Act of 1997. **Pages S8945, S8995–98**

Mack/Graham Amendment No. 1090, to increase the appropriations for the Mary McLeod Bethune Memorial Fine Arts Center. **Page S8945**

Coverdell Amendment No. 1097, to enhance food safety for children through preventative research and medical treatment. **Page S8945**

Coverdell Amendment No. 1098 (to Amendment No. 1097), in the nature of a substitute. **Page S8945**

Specter Amendment No. 1110, to reduce unemployment insurance service administrative expenses

to offset costs of administering a welfare-to-work jobs initiative. **Page S8945**

Harkin (for Wellstone) Amendment No. 1087, to increase funding for the Head Start Act. **Page S8945**

Harkin/Bingaman/Kennedy Amendment No. 1115, to authorize the National Assessment Governing Board to develop policy for voluntary national tests in reading and mathematics. **Page S8945**

Harkin (for Daschle) Amendment No. 1116, to express the sense of the Senate regarding Federal Pell Grants and a child literacy initiative. **Page S8946**

Murray/Wellstone Amendment No. 1118, to clarify the family violence option under temporary assistance to needy families program. **Page S8946**

Domenici (for Gorton) Modified Amendment No. 1122, to provide certain education funding directly to local educational agencies. **Pages S8946–50, S9012–13**

Sessions Modified Amendment No. 1125 (to Amendment No. 1078), to provide for certain limitations on attorneys' fees under any global tobacco settlement and for increased funding for children's health research. **Pages S9002–12**

During consideration of this measure today, Senate also took the following action:

By 45 yeas to 54 nays (Vote No. 223), three-fifths of those Senators duly chosen and sworn not having voted in the affirmative, Senate rejected a motion to waive section 904 of the Congressional Budget Act with respect to consideration of McCain/Gramm Amendment No. 1091, to eliminate Medicare incentive payments under plans for voluntary reduction in the number of residents. Subsequently, a point of order that the amendment was in violation of the Congressional Budget Act was sustained, and the amendment thus fell.

**Pages S8945, S8950–51, S8958–61, S8965–71, S8999**

Senate will continue consideration of the bill on Wednesday, September 10, 1997.

**Nominations Received:** Senate received the following nominations: Robert H. Beatty, Jr., of West Virginia, to be a Member of the Federal Mine Safety and Health Review Commission for the remainder of the term expiring August 30, 1998.

Edward M. Gabriel, of the District of Columbia, to be Ambassador to the Kingdom of Morocco.

Ernesta Ballard, of Alaska, to be a Governor of the United States Postal Service for a term expiring December 8, 2005.

Robin Lynn Raphael, of Washington, to be Ambassador to the Republic of Tunisia. **Pages S9030–31**

**Nomination Withdrawn:** Senate received notification of the withdrawal of the following nomination:

Patricia M. McMahon, of New Hampshire, to be Deputy Director for Demand Reduction, Office of

National Drug Control Policy, which was sent to the Senate on January 9, 1997. **Page S9031**

**Messages From the House:** **Page S9016**

**Measures Referred:** **Page S9016**

**Communications:** **Pages S9016–17**

**Petitions:** **Pages S9017–18**

**Statements on Introduced Bills:** **Page S9018**

**Additional Cosponsors:** **Pages S9019–20**

**Amendments Submitted:** **Pages S9023–25**

**Notices of Hearings:** **Page S9025**

**Authority for Committees:** **Page S9025**

**Additional Statements:** **Pages S9025–30**

**Record Votes:** Two record votes were taken today. (Total–223) **Pages S8958, S8999**

**Adjournment:** Senate convened at 9:30 a.m., and adjourned at 8:20 p.m., until 9:30 a.m., Wednesday, September 10, 1997. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S9030.)

## Committee Meetings

(Committees not listed did not meet)

### APPROPRIATIONS—DISTRICT OF COLUMBIA

*Committee on Appropriations:* Committee ordered favorably reported an original bill (S. 1156) making ap-

propriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenue of said District for the fiscal year ending September 30, 1998.

### NOMINATION

*Committee on Armed Services:* Committee concluded hearings on the nomination of Gen. Henry H. Shelton, USA, to be Chairman of the Joint Chiefs of Staff, after the nominee, who was introduced by Senators Helms and Faircloth, testified and answered questions in his own behalf.

### CAMPAIGN FINANCING INVESTIGATION

*Committee on Governmental Affairs:* Committee resumed hearings to examine certain matters with regard to the committee's special investigation on campaign financing, receiving testimony from Donald L. Fowler, former Chairman, Democratic National Committee.

Hearings continue tomorrow.

### IMMIGRATION

*Committee on the Judiciary:* Subcommittee on Immigration concluded hearings to examine the economic and fiscal impact of immigration in the United States, after receiving testimony from James P. Smith, RAND, Santa Monica, California, and Ronald D. Lee, University of California, Berkeley, both on behalf of the National Academy of Sciences Panel on the Demographic and Economic Impact of Immigration.

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# House of Representatives

## Chamber Action

**Bills Introduced:** 11 public bills, H.R. 2424, 2427, 2436–2444; 1 private bill, H.R. 2445; and 4 resolutions, H. Con. Res. 148, and H. Res. 223–225 were introduced. **Page H7118**

**Reports Filed:** The following report was filed today: Conference report on H.R. 2016, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998 (H. Rept. 105–247). **Pages H7084–H7106, H7118**

**Speaker Pro Tempore:** Read a letter from the Speaker wherein he designated Representative Emerson to act as Speaker pro tempore for today. **Page H7011**

**Recess:** The House recessed at 9:50 a.m. and reconvened at 10:00 a.m. **Page H7017**

**Motion to Adjourn:** Rejected the Miller of California motion to adjourn by a recorded vote of 43 ayes to 347 noes, Roll No. 371. **Pages H7017–18**

**Motion to Adjourn:** Rejected the Doggett motion to adjourn by a recorded vote of 29 ayes to 367 noes, Roll No. 372. **Page H7023**

**Labor, HHS, and Education Appropriations Act:** The House continued consideration of amendments to H.R. 2264, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 1998. The House completed general debate and considered amendments to the bill on September 4, 5, and 8. **Pages H7023–84**

**Agreed To:**

The Shadegg amendment that prohibits the Job Corps to compensate any individual at a rate in excess of \$100,000; **Pages H7029–30**

The Chenoweth amendment that increases aging services program funding for the senior citizen meal program by \$4.7 million and reduces Public Health Service Act title X funding by \$9 million; **Pages H7033–35**

The Burton of Indiana amendment that increases “We the People” education program funding by \$1 million and reduces HHS Inspector General funding accordingly; **Pages H7040–43**

The Castle substitute amendment to the Istook amendment that requires providers of services under title X of the Public Health Service Act to certify that family participation is encouraged in the decision of minors to seek family planning services and that counseling is provided on how to resist coercive sexual activities (agreed to by a recorded vote of 220 ayes to 201 noes, Roll No. 378); and **Pages H7053–80**

The Istook amendment, as amended, by the Castle substitute amendment that requires providers of services under title X of the Public Health Service Act to certify that family participation is encouraged in the decision of minors to seek family planning services and that counseling is provided on how to resist coercive sexual activities (agreed to by a recorded vote of 254 ayes to 169 noes, Roll No. 379). **Pages H7052–80**

**Rejected:**

The Souder amendment that sought to increase OSHA compliance assistance funding by \$23 million and reduce enforcement funding by \$21 million and executive administrative funding by \$2 million (rejected by a recorded vote of 164 ayes to 255 noes, Roll No. 373); and **Pages H7023–29**

The Coburn amendment that sought to increase funding for State AIDS Drug Assistance Programs by \$34.8 million and reduce Agency for Health Care Policy and Research by \$2.3 million, Refugee and Entrant Assistance by \$22.6 million, HHS departmental management by \$4.8 million, and Policy Research by \$5 million (rejected by a recorded vote of 141 ayes to 282 noes, Roll No. 377). **Pages H7031–32, H7044–50**

**Point of Order Sustained:**

A point of order was sustained against the Social Services Block Grant provision; and **Page H7040**

A point of order was sustained against the Souder amendment that sought to reduce funding for Public Health Service Act title X programs by \$40.6 million and increase funding for the National Cancer Institute by \$36 million. **Pages H7043–44**

**Withdrawn:**

The Jackson-Lee amendment was offered but subsequently withdrawn that sought to increase HHS General Departmental Management funding by \$2 million and reduce the National Library of Medicine funding by \$2.5 million; and **Pages H7036–37**

The Filner amendment was offered but subsequently withdrawn that sought to make available \$12.8 million for the community Schools Youth Services and Supervision Grant Program Act of 1994. **Pages H7080–82**

Rejected the McIntosh motion to rise by a recorded vote of 42 ayes to 375 noes, Roll No. 374. **Pages H7032–33**

The bill is being considered pursuant to the order of the House of Thursday, July 31. **Pages H6667–69**

**Amendments:** Amendments ordered printed pursuant to the rule appear on pages H7119–20.

**Quorum Calls—Votes:** One quorum call (Roll no. 375), two yea-and-nay votes, and six recorded votes developed during the proceedings of the House today and appear on pages H7017–18, H7023, H7029, H7033, H7042, H7042–43, H7050, H7079–80 and H7080.

**Adjournment:** Met at 9:00 a.m. and adjourned at 11:07 p.m.

## *Committee Meetings*

### **THRIFT DEPOSITOR PROTECTION OVERSIGHT BOARD ABOLISHMENT ACT; COMMITTEE BUSINESS**

*Committee on Banking and Financial Services:* Ordered reported amended H.R. 2343, Thrift Depositor Protection Oversight Board Abolishment Act.

Prior to this action, the Committee held a hearing on this legislation. Testimony was heard from John D. Hawke, Jr., Under Secretary, Domestic Finance, Department of the Treasury.

The Committee also approved pending Committee business.

### **SCHOOL CHOICE LEGISLATIVE PROPOSALS**

*Committee on Education and the Workforce:* Subcommittee on Early Childhood and Families held a hearing on School Choice legislative proposals. Testimony was heard from Senators Coats and Moseley-Braun; Speaker Gingrich; Representatives Armey, Watts of Oklahoma, Flake, Paul, Scott and DeLauro.

### **FREEDOM FROM RELIGIOUS PERSECUTION ACT**

*Committee on International Relations:* Held a hearing on the Freedom from Religious Persecution Act of 1997. Testimony was heard from Senator Specter; Representatives Wolf and Strickland; and John

Shattuck, Assistant Secretary, Bureau of Democracy, Human Rights and Labor, Department of State.

Hearings continue tomorrow.

### MISCELLANEOUS MEASURES

*Committee on the Judiciary:* Ordered reported amended the following bills: H.R. 1683, Jacob Wetterling Crimes Against Children and Sexually Violent Offenders Registration Improvements Act of 1997; H.R. 424, to provide for increased mandatory minimum sentences for criminals possessing firearms; and H.R. 1493, to require the Attorney General to establish a program in local prisons to identify, prior to arraignment, criminal aliens and aliens who are unlawfully present in the United States.

The Committee also met and considered a private claims bill.

### SECURITY AND FREEDOM THROUGH ENCRYPTION (SAFE) ACT

*Committee on National Security:* Ordered reported amended H.R. 695, Security and Freedom Through Encryption (SAFE) Act.

### BOUNDARY WATERS CANOE AREA WILDERNESS

*Committee on Resources:* Subcommittee on Forests and Forest Health held a hearing on the following bills: H.R. 1739, BWCAW Accessibility and Fairness Act of 1997; and H.R. 2149, BWCA Wilderness Legacy Act. Testimony was heard from Senator Grams; Representatives Ramstad, Minge and Oberstar; Janice McDougale, Associate Deputy Chief, National Forest System, Forest Service, USDA; Tom Bakk, member, Legislature, State of Minnesota; and public witnesses.

### OKLAHOMA CITY NATIONAL MEMORIAL ACT

*Committee on Resources:* Subcommittee on National Parks and Public Lands held a hearing on H.R. 1849, Oklahoma City National Memorial Act of 1997. Testimony was heard from Representatives Lucas of Oklahoma and Istook; Maureen Finnerty, Associate Director, Park Operations and Education, National Park Service, Department of the Interior; John Poulard, Regional Administrator, Region 7, GSA; Ronald J. Norick, Mayor, Oklahoma City; and public witnesses.

### PILOTS ENGAGED IN FLIGHT OPERATIONS OUTSIDE U.S.—APPLY RAILWAY LABOR ACT

*Committee on Transportation and Infrastructure:* Subcommittee on Aviation held a hearing on H.R. 991, to amend the Railway Labor Act concerning the applicability of requirements of that Act to U.S. air carriers and flight deck crews engaged in flight oper-

ations outside the United States. Testimony was heard from public witnesses.

### REPORT—NATIONAL COMMISSION ON RESTRUCTURING THE IRS

*Committee on Ways and Means:* Subcommittee on Oversight continued hearings on the Recommendations of the National Commission on Restructuring the Internal Revenue Service to expand Electronic Filing of Tax Systems Improvements. Testimony was heard from the following officials of the Department of the Treasury: Donald C. Lubick, Acting Assistant Secretary, Tax Policy; and Michael P. Dolan, Acting Commissioner, IRS; and public witnesses.

### ENCRYPTION LEGISLATION

*Permanent Select Committee on Intelligence:* Met in executive session to hold a hearing on the following bills: H.R. 695, Security and Freedom Through Encryption (SAFE) Act; and S. 909, Secure Public Networks Act of 1997. Testimony was heard from departmental witnesses.

## Joint Meetings

### APPROPRIATIONS—MILITARY CONSTRUCTION

*Conferees* agreed to file a conference report on the differences between the Senate- and House-passed versions of H.R. 2016, making appropriations for military construction, family housing, and base realignment and closure for the Department of Defense for the fiscal year ending September 30, 1998.

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### COMMITTEE MEETINGS FOR WEDNESDAY, SEPTEMBER 10, 1997

(Committee meetings are open unless otherwise indicated)

#### Senate

*Committee on Commerce, Science, and Transportation,* to hold hearings on the nominations of Heidi H. Schulman, of California, and Katherine Milner Anderson, of Virginia, each to be a Member of the Board of Directors for the Corporation for Public Broadcasting, and Sheila Foster Anthony, of Arkansas, to be a Federal Trade Commissioner, 9:30 a.m., SR-253.

Full Committee, business meeting, to consider the nominations of Heidi H. Schulman, of California, and Katherine Milner Anderson, of Virginia, each to be a Member of the Board of Directors of the Corporation for Public Broadcasting, 10 a.m., SR-253.

*Committee on Energy and Natural Resources,* to hold oversight hearings to review Forest Service organizational structure, staffing, and budget for the Alaska region, 9:30 a.m., SD-366.

*Committee on Finance,* to hear and consider pending nominations, 10 a.m., SD-215.

*Committee on Foreign Relations*, to hold hearings on the nominations of Thomas J. Dodd, of the District of Columbia, to be Ambassador to the Republic of Costa Rica, Donna Jean Hrinak, of Virginia, to be Ambassador to the Republic of Bolivia, Curtis Warren Kamman, of the District of Columbia, to be Ambassador to the Republic of Colombia, and Edward E. Shumaker, III, of New Hampshire, to be Ambassador to Trinidad and Tobago, 2:30 p.m., SD-419.

*Committee on Governmental Affairs*, to continue hearings to examine certain matters with regard to the committee's special investigation on campaign financing, 10 a.m., SH-216.

*Select Committee on Intelligence*, to hold a closed briefing on intelligence matters, 2:30 p.m., SH-219.

### House

*Committee on Banking and Financial Services*, Subcommittee on Domestic and International Monetary Policy, to markup the 50 States Commemorative Coin Program Act, 10:30 a.m., 2128 Rayburn.

*Committee on Government Reform and Oversight*, Subcommittee on Civil Service, hearing on Employment Discrimination in the Federal Workplace, Part I, 10 a.m., 2154 Rayburn.

*Committee on International Relations*, to continue hearings on the Freedom from Religious Persecution Act of 1997, 11 a.m., 2172 Rayburn.

Subcommittee on International Economic Policy and Trade, hearing on the Transatlantic Initiative: Opportunities and Prospects, 2 p.m., 2200 Rayburn.

*Committee on the Judiciary*, Subcommittee on Immigration and Claims, hearing on H.R. 992, Tucker Act Shuffle Relief Act of 1997, 10 a.m., 2237 Rayburn.

*Committee on Resources*, to markup the following bills: H.R. 136, to amend the National Parks and Recreation Act of 1978 to designate the Marjory Stoneman Douglas Wilderness and to amend the Everglades National Park Protection and Expansion Act of 1989 to designate the Ernest F. Coe Visitor Center; H.R. 708, to require the Secretary of the Interior to conduct a study concerning grazing use of certain land within and adjacent to Grand Teton National Park, WY, and to extend temporarily certain grazing privileges; H.R. 1787, Asian Elephant Conservation Act of 1997; H.R. 1849, Oklahoma City National Memorial Act of 1997; and H.R. 1948, Hood Bay Land Exchange Act of 1997; to be followed by a hearing on H.R. 2259, King Cove Health and Safety Act of 1997, 11 a.m., 1324 Longworth.

*Committee on Science*, hearing on Next Generation Internet Initiative, 10 a.m., 2318 Rayburn.

*Committee on Transportation and Infrastructure*, Subcommittee on Surface Transportation, to markup H.R. 2400, Building Efficient Surface Transportation and Equity Act of 1997, 10 a.m., 2167 Rayburn.

*Committee on Ways and Means*, Subcommittee on Human Resources, hearing on Child Support System Improvements, 10 a.m., B-318 Rayburn.

*Next Meeting of the SENATE*

9:30 a.m., Wednesday, September 10

## Senate Chamber

**Program for Wednesday:** Senate will continue consideration of S. 1061, Labor/HHS Appropriations, 1998.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

10 a.m., Wednesday, September 10

## House Chamber

**Program for Wednesday:** Consideration of H.R. 2264, Labor, HHS, and Education Appropriations Act for FY 1998 (open rule).

## Extensions of Remarks, as inserted in this issue

## HOUSE

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